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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,922	08/04/2000	Peter V. Boesen	PO4642US0	2685

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EXAMINER
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TRAN, TAM D

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 08/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/632,922

Applicant(s)

BOESEN ET AL.

Examiner

Tam D. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 25-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 25-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 5) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 6) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,6. 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 25-27 are rejected under 35 U. S.C. 103(a) as being unpatentable over Buxton et al. (PN6094197).

1. In regard to claim 1, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard 25 on touch screen display 21,22, the method comprising: interacting of the application program 50 (computer program) and the processor, initiating an input area including a key board 25 (key board incapable of user termination) which have plurality of keys 26, unnecessary keys/buttons, and processor 5 and application program 50 process the data entry (selecting keys on the keyboard) from the display, (see Fig. 18, col. 13 lines 49 -65, col. 14 lines 13 - 26), a series of views prompt user to input characters, (see col.12, lines 16-19). It would have been obvious to a person of ordinary skill in the art to appreciate that the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary; Also, with the prompt feature, the application program has the capability to determine when the character is presented as need. In correspond to the limitations of claims 1, a method of entering data on a touch screen display, the method comprising: invoking a computer program in which user input

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is sought; invoking an input area, including a plurality of data input fields and a graphical keyboard incapable of user termination of the input area, the graphical keyboard having a plurality of keys on the display; and selecting keys on the keyboard to provide the desired input. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate all the graphical keyboard features of Buxton et al. to form a claimed invention keyboard because the graphical keyboard features of Buxton et al. permits the user to do simple key-tapping. Also, lets the expert user proceed by "fell," and prompts the novice user when and as necessary.

2. In regard to claim 2, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard on touch screen display, wherein input area is constructed by software (executable code) that is executed by processor; (see col.14, lines 46 - 48). In correspond to the limitations of claims 2, wherein the input area is created by an executable code.

3. In regard to claim 4, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard on touch screen display, wherein user interface software (computer program) generates the keyboard image (input area); (see col. 14, lines 45 - 48). In correspond to the limitations of claims 4, wherein the computer program invokes the input area.

4. In regard to claim 7, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard on touch screen display, wherein software (computer program) running on the processor is executing on a personal computer; (see col. 14, lines 13 - 17). In correspond to the limitations of claims 7, wherein the computer program is executing on a personal computer.

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5. In regard to claim 8, Buxton et al. teach a system for implementation (method of entering data) of the graphical key board on touch screen display, wherein graphical user interface (computer program) is for pen-based computer; (see col.1, lines 39-41). In correspond to the limitations of claims 8, wherein the computer program is executing on a pen-based computer.

6. In regard to claim 9, Buxton et al. teach a system for implementation (method of entering data) of the graphical key board on touch screen display, wherein interface software (computer program) runs on a computer which has a touch-sensitive display screen; (see col.14, lines 13 - 26). In correspond to the limitations of claims 9, wherein the computer program is executing on a computer with a touch-screen display.

7. Claims 3, 5, 6 are rejected under 35 U. S.C. 103(a) as being unpatentable over Buxton et al. (PN6094197) in view of Freedman (The Computer Desktop Encyclopedia).

In regard to claim 3 and 5, Buxton et al. teach the method of entering data on touch screen display as claim in claims 1 and 4; in addition, Buxton et al. teach the operating system software (executable code/ computer program) having graphical user interface supporting window operation for generating input area, (see col. 15, lines 60-68). Freeman teaches window operation running with dynamic link library (DLL) on Visual Basic Module (Visual Basic code), (see DLL section, page 254). Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the dynamic link library and visual basic module as taught by Freeman onto the computer program of Buxton et al. because dynamic link library and visual basic module are convenience and specialized for developing window graphic operations, respectively.

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8. In regard to 6, Buxton et al. teach the window operation software (computer program) calls (link file) a C language file, (see col.24 lines 1-35). Freeman teaches windows uses DLL as standard way of link and sharing functionality, (see DLL section, page 254); in addition, Freeman teaches C++ is an object-orientation version of C, (see C++ section, page 99).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the dynamic link library in C++ as taught by Freeman onto the computer program of Buxton et al. because dynamic link library in C++ is convenience for the programmer and having many graphic user interface library files which provide a better image for the graphic display.

9. In regard to claim 25, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard 25 on touch screen display 21,22, the method comprising: interacting of the application program 50 (computer program) and the processor, initiating an input area including a key board 25 (key board incapable of user termination) which have plurality of keys 26, unnecessary keys/buttons, and processor 5 and application program 50 process the data entry (selecting keys on the keyboard) from the display, (see Fig. 18, col. 13 lines 49 -65, col. 14 lines 13 - 26), a series of views prompt user to input characters, (see col.12, lines 16-19). It would have been obvious to a person of ordinary skill in the art to appreciate that the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary; Also, with the prompt feature, the application program has the capability to determine when the character is presented as need. In correspond to the limitations of claims 25, a method of providing a user interface for receiving information from a user using a user immutable graphical keyboard,

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comprising: determining that input from the user using the graphical keyboard is needed; displaying the graphical keyboard on a touch screen display to receive input from a user, the graphical keyboard placed in a set position; persistently maintaining the graphical keyboard on the touch screen display such that the user cannot move, resize, remove, or close the graphical keyboard through the user interface; receiving input from the user through the graphical keyboard; determining that further input from the user is no longer needed; and removing the graphical keyboard. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate all the graphical keyboard features of Buxton et al. to form a claimed invention keyboard because the graphical keyboard features of Buxton et al. permits the user to do simple key-tapping. Also, lets the expert user proceed by "fell," and prompts the novice user when and as necessary.

10. In regard to claim 26, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard 25 on touch screen display 21,22, the method comprising: interacting of the application program 50 (computer program) and the processor, initiating an input area including a key board 25 (key board incapable of user termination) which have plurality of keys 26, unnecessary keys/buttons, and processor 5 and application program 50 process the data entry (selecting keys on the keyboard) from the display, (see Fig. 18, col. 13 lines 49 -65, col. 14 lines 13 - 26), a series of views prompt user to input characters, (see col.12, lines 16-19). It would have been obvious to a person of ordinary skill in the art to appreciate that the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary; Also, with the prompt feature, the application program has the capability to determine when the character is

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presented as need. In correspond to the limitations of claims 26, a method of providing user interface for receiving information to complete one or more data input fields from a user using a graphical keyboard, comprising: displaying on a touch screen display at least one data input field for receiving character data; associating the graphical keyboard with the at least one data input field; displaying the graphical keyboard on the touch screen display such that the user cannot move, resize, remove or close the graphical keyboard through the user interface until the associated data input fields have been completed or display of the data fields has been cancelled. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate all the graphical keyboard features of Buxton et al. to form a claimed invention keyboard because the graphical keyboard features of Buxton et al. permits the user to do simple key-tapping. Also, lets the expert user proceed by “fell,” and prompts the novice user when and as necessary.

11. In regard to claim 27, Buxton et al. teach a system for implementation (method of entering data) of the graphical keyboard 25 on touch screen display 21,22, the method comprising: interacting of the application program 50 (computer program) and the processor, initiating an input area including a key board 25 (key board incapable of user termination) which have plurality of keys 26, unnecessary keys/buttons, and processor 5 and application program 50 process the data entry (selecting keys on the keyboard) from the display, (see Fig. 18, col. 13 lines 49 -65, col. 14 lines 13 - 26), a series of views prompt user to input characters, (see col.12, lines 16-19). It would have been obvious to a person of ordinary skill in the art to appreciate that the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary; Also, with the



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prompt feature, the application program has the capability to determine when the character is presented as need. In correspond to the limitations of claims 27, a method of providing a user interface such that a means to input data is available where input data is prompted for, comprising: associating a graphical keyboard with at least one input data field; displaying the graphical keyboard and the at least one input data field on a touch screen display; and persistently displaying the graphical keyboard such that a user cannot move, resize, remove or close the graphical keyboard independent of the input data fields. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate all the graphical keyboard features of Buxton et al. to form a claimed invention keyboard because the graphical keyboard features of Buxton et al. permits the user to do simple key-tapping. Also, lets the expert user proceed by “fell,” and prompts the novice user when and as necessary.

### ***Response to Arguments***

12. Applicant's arguments filed on 07/22/2002, have been fully considered but they are not persuasive.

Applicant argues that Buxton et al. (hereafter simply Buxton) do not teach a keyboard incapable of user termination. However, examiner respectfully disagrees with the argument because on col.14, lines 46-55, Buxton teaches a keyboard image is a graphical image generated by processor in accordance with user interface software and display on screen. On Fig.16, col. 12, lines 16-19, Buxton teaches a graphical keyboard along with the prompt on the view area that directs user inputting the characters as user needs. On the other hand, the software performs the application programs by the users, and users would not activate the features for termination of the application programs if it would not be necessary; Also, with the prompt feature, the

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application program has the capability to determine when the character is presented as need. For these reasons, the rejections are maintained.

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

***Conclusion***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tam D. Tran** whose telephone number is **703-305-4196**. The examiner can normally be reached on **MON-FRI** from 8:30 – 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

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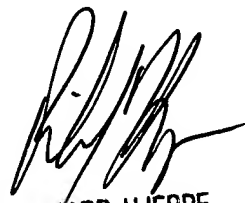
Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Technology Center 2600 Customer Service Office whose  
telephone number is (703) 306-0377.

Tam Tran

Examiner

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RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600